

112-08-04

10/519515

DT01 Rec'd PCT/PT 07 DEC 2004

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

☐ Duplicate
(check, if applicable)

17231 U.S. PTO
120704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: 681132-2
First Named Inventor: Kyl L. Smith
Express Mail Label No.: EV 610007340 US
Total Pages of Transmittal Form: 3

112941 U.S. PTO
10/519515
120704

Transmitted herewith for filing is the non-provisional utility patent application entitled:

COMPOSITIONS FOR IMPROVING MENTAL PERFORMANCE

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)
of prior International Application No. PCT/US02/21062 filed July 3, 2002, which claims
the benefit of U.S. Provisional Application No. 60/302,653, filed July 5, 2001.

Anticipated Group/Art Unit: or Class, Subclass .

☐ This non-provisional patent application is based on Provisional Patent Application No.
__, filed __.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 35 pages.
- ☐ __ sheets of drawings (formal).
- ☐ Application Data Sheet.
- ☒ Newly unexecuted Declaration (original).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☐ Microfiche computer program (Appendix).
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
- ☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Vital Basics, Inc.
- ☐ Certified copy(ies) of Application No(s). __ filed __ is/are filed:
☐ herewith ☐ or ☐ in prior application ____.

RECEIVED
DEC 15 2004
OIP/E/JCWS

10/519515

DT01 Rec'd PCT/PT 07 DEC 2004

- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☒ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☐ Information Disclosure Statement, PTO/SB/08A, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☒ Other: Petition for Revival of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) as filed simultaneously herewith.

The filing fee is calculated as follows:

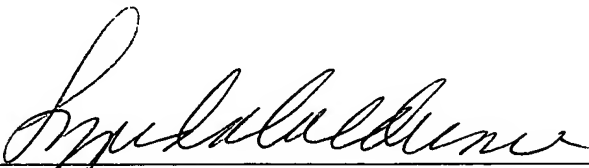
			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$395			\$790	
Total	14-20 =	0	X9	\$ 0	OR	X18	\$
Independent	3- 3=	0	X44	\$ 0	OR	X88	\$
[2] Multiple Dependent Claims Present			\$150	\$ 150	OR	\$300	\$
			TOTAL	\$ 545	OR	TOTAL	\$

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts
- ☒ A check in the amount of **\$545.00** to cover the filing is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 681132.0002)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$_____ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

10/519515

DTC1 Rec'd PCT/STP 07 DEC 2004

CORRESPONDENCE ADDRESS

12/7/04 By: 
(Date)

LYNDA L. CALDERONE

Registration No. 35,837

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1272

Facsimile: 215-965-1210

E-Mail: lcalderone@akingump.com

☒ Customer Number or Bar Code Label: **000570**

LLC:llc

Enclosures

10/519515

DT01 Rec'd PCT/PTO 07 DEC 2004

The PTO did not receive the following
listed item(s) NO POST CARD